

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Before this Court is the Report and Recommendation of U.S. Magistrate Judge Valerie P. Cooke (#67¹) entered on September 14, 2012, recommending granting Defendant's Renewed Motion for Summary Judgment (#52) filed on March 8, 2012. No objection to the Report and Recommendation has been filed. The action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)B and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#67) entered on September 14, 2012, should be adopted and accepted.

¹Refers to court's docket number.

1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#67)
2 entered on September 14, 2012, is adopted and accepted, and Defendant's Renewed Motion for
3 Summary Judgment (#52) is GRANTED as to Plaintiff's Eighth Amendment claim.

4 IT IS SO ORDERED.

5 DATED this 7th day of November, 2012.



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7 LARRY R. HICKS
8 UNITED STATES DISTRICT JUDGE
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